

1-1 By: Oliverson (Senate Sponsor - Kolkhorst) H.B. No. 5384
 1-2 (In the Senate - Received from the House May 10, 2023;
 1-3 May 10, 2023, read first time and referred to Committee on Local
 1-4 Government; May 17, 2023, reported favorably by the following
 1-5 vote: Yeas 9, Nays 0; May 17, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the creation of the Harris-Waller Counties Municipal
 1-20 Utility District No. 9; granting a limited power of eminent domain;
 1-21 providing authority to issue bonds; providing authority to impose
 1-22 assessments, fees, and taxes.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Subtitle F, Title 6, Special District Local Laws
 1-25 Code, is amended by adding Chapter 7996A to read as follows:

1-26 CHAPTER 7996A. HARRIS-WALLER COUNTIES MUNICIPAL UTILITY DISTRICT
 1-27 NO. 9

1-28 SUBCHAPTER A. GENERAL PROVISIONS

1-29 Sec. 7996A.0101. DEFINITIONS. In this chapter:

1-30 (1) "Board" means the district's board of directors.

1-31 (2) "Commission" means the Texas Commission on
 1-32 Environmental Quality.

1-33 (3) "Director" means a board member.

1-34 (4) "District" means the Harris-Waller Counties
 1-35 Municipal Utility District No. 9.

1-36 Sec. 7996A.0102. NATURE OF DISTRICT. The district is a
 1-37 municipal utility district created under Section 59, Article XVI,
 1-38 Texas Constitution.

1-39 Sec. 7996A.0103. CONFIRMATION AND DIRECTOR ELECTION
 1-40 REQUIRED. The temporary directors shall hold an election to
 1-41 confirm the creation of the district and to elect five permanent
 1-42 directors as provided by Section 49.102, Water Code.

1-43 Sec. 7996A.0104. CONSENT OF MUNICIPALITY REQUIRED. The
 1-44 temporary directors may not hold an election under Section
 1-45 7996A.0103 until each municipality in whose corporate limits or
 1-46 extraterritorial jurisdiction the district is located has
 1-47 consented by ordinance or resolution to the creation of the
 1-48 district and to the inclusion of land in the district as required by
 1-49 general law.

1-50 Sec. 7996A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.
 1-51 (a) The district is created to serve a public purpose and benefit.

1-52 (b) The district is created to accomplish the purposes of:

1-53 (1) a municipal utility district as provided by
 1-54 general law and Section 59, Article XVI, Texas Constitution; and

1-55 (2) Section 52, Article III, Texas Constitution, that
 1-56 relate to the construction, acquisition, improvement, operation,
 1-57 or maintenance of macadamized, graveled, or paved roads, or
 1-58 improvements, including storm drainage, in aid of those roads.

1-59 Sec. 7996A.0106. INITIAL DISTRICT TERRITORY. (a) The
 1-60 district is initially composed of the territory described by
 1-61 Section 2 of the Act enacting this chapter.

2-1 (b) The boundaries and field notes contained in Section 2 of
 2-2 the Act enacting this chapter form a closure. A mistake made in the
 2-3 field notes or in copying the field notes in the legislative process
 2-4 does not affect the district's:

2-5 (1) organization, existence, or validity;
 2-6 (2) right to issue any type of bond for the purposes
 2-7 for which the district is created or to pay the principal of and
 2-8 interest on a bond;

2-9 (3) right to impose a tax; or

2-10 (4) legality or operation.

2-11 SUBCHAPTER B. BOARD OF DIRECTORS

2-12 Sec. 7996A.0201. GOVERNING BODY; TERMS. (a) The district
 2-13 is governed by a board of five elected directors.

2-14 (b) Except as provided by Section 7996A.0202, directors
 2-15 serve staggered four-year terms.

2-16 Sec. 7996A.0202. TEMPORARY DIRECTORS. (a) On or after the
 2-17 effective date of the Act enacting this chapter, the owner or owners
 2-18 of a majority of the assessed value of the real property in the
 2-19 district may submit a petition to the commission requesting that
 2-20 the commission appoint as temporary directors the five persons
 2-21 named in the petition. The commission shall appoint as temporary
 2-22 directors the five persons named in the petition.

2-23 (b) Temporary directors serve until the earlier of:

2-24 (1) the date permanent directors are elected under
 2-25 Section 7996A.0103; or

2-26 (2) the fourth anniversary of the effective date of
 2-27 the Act enacting this chapter.

2-28 (c) If permanent directors have not been elected under
 2-29 Section 7996A.0103 and the terms of the temporary directors have
 2-30 expired, successor temporary directors shall be appointed or
 2-31 reappointed as provided by Subsection (d) to serve terms that
 2-32 expire on the earlier of:

2-33 (1) the date permanent directors are elected under
 2-34 Section 7996A.0103; or

2-35 (2) the fourth anniversary of the date of the
 2-36 appointment or reappointment.

2-37 (d) If Subsection (c) applies, the owner or owners of a
 2-38 majority of the assessed value of the real property in the district
 2-39 may submit a petition to the commission requesting that the
 2-40 commission appoint as successor temporary directors the five
 2-41 persons named in the petition. The commission shall appoint as
 2-42 successor temporary directors the five persons named in the
 2-43 petition.

2-44 SUBCHAPTER C. POWERS AND DUTIES

2-45 Sec. 7996A.0301. GENERAL POWERS AND DUTIES. The district
 2-46 has the powers and duties necessary to accomplish the purposes for
 2-47 which the district is created.

2-48 Sec. 7996A.0302. MUNICIPAL UTILITY DISTRICT POWERS AND
 2-49 DUTIES. The district has the powers and duties provided by the
 2-50 general law of this state, including Chapters 49 and 54, Water Code,
 2-51 applicable to municipal utility districts created under Section 59,
 2-52 Article XVI, Texas Constitution.

2-53 Sec. 7996A.0303. AUTHORITY FOR ROAD PROJECTS. Under
 2-54 Section 52, Article III, Texas Constitution, the district may
 2-55 design, acquire, construct, finance, issue bonds for, improve,
 2-56 operate, maintain, and convey to this state, a county, or a
 2-57 municipality for operation and maintenance macadamized, graveled,
 2-58 or paved roads, or improvements, including storm drainage, in aid
 2-59 of those roads.

2-60 Sec. 7996A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A
 2-61 road project must meet all applicable construction standards,
 2-62 zoning and subdivision requirements, and regulations of each
 2-63 municipality in whose corporate limits or extraterritorial
 2-64 jurisdiction the road project is located.

2-65 (b) If a road project is not located in the corporate limits
 2-66 or extraterritorial jurisdiction of a municipality, the road
 2-67 project must meet all applicable construction standards,
 2-68 subdivision requirements, and regulations of each county in which
 2-69 the road project is located.

3-1 (c) If the state will maintain and operate the road, the
3-2 Texas Transportation Commission must approve the plans and
3-3 specifications of the road project.
3-4 Sec. 7996A.0305. COMPLIANCE WITH MUNICIPAL CONSENT
3-5 ORDINANCE OR RESOLUTION. The district shall comply with all
3-6 applicable requirements of any ordinance or resolution that is
3-7 adopted under Section 54.016 or 54.0165, Water Code, and that
3-8 consents to the creation of the district or to the inclusion of land
3-9 in the district.
3-10 Sec. 7996A.0306. DIVISION OF DISTRICT. (a) The board, on
3-11 its own motion or on receipt of a petition signed by the owner or
3-12 owners of a majority of the assessed value of the real property in
3-13 the district, may adopt an order dividing the district.
3-14 (b) An order dividing a district may create one or more new
3-15 districts and may provide for the continuation of the district.
3-16 (c) An order dividing the district shall:
3-17 (1) name any new district;
3-18 (2) include the metes and bounds description of the
3-19 territory of each of the districts;
3-20 (3) appoint temporary directors for any new district;
3-21 and
3-22 (4) provide for the division of assets and liabilities
3-23 between the districts.
3-24 (d) The board may adopt an order dividing the district
3-25 before or after the date the board holds an election to confirm the
3-26 district's creation.
3-27 (e) The district may be divided only if the district:
3-28 (1) has never issued any bonds; and
3-29 (2) is not imposing ad valorem taxes.
3-30 (f) A new district created by the division of the district
3-31 may not, at the time the new district is created, contain any land
3-32 outside the area described by Section 2 of the Act enacting this
3-33 chapter.
3-34 (g) On or before the 30th day after the date of adoption of
3-35 an order dividing the district, the district shall file the order
3-36 with the commission and record the order in the real property
3-37 records of each county in which the district is located.
3-38 (h) This chapter applies to any new district created by the
3-39 division of the district, and a new district has all the powers and
3-40 duties of the district.
3-41 (i) A new district created by the division of the district
3-42 shall hold a confirmation and directors' election.
3-43 (j) If the creation of the new district is confirmed, the
3-44 new district shall provide the election date and results to the
3-45 commission.
3-46 (k) A new district created by the division of the district
3-47 must hold an election as required by this chapter to obtain voter
3-48 approval before the district may impose a maintenance tax or issue
3-49 bonds payable wholly or partly from ad valorem taxes.
3-50 (l) The district may continue to rely on confirmation,
3-51 directors', bond, or tax elections held prior to the division.
3-52 (m) Municipal consent to the creation of the district and to
3-53 the inclusion of land in the district acts as municipal consent to
3-54 the creation of any new district created by the division of the
3-55 district and to the inclusion of land in the new district.
3-56 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS
3-57 Sec. 7996A.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)
3-58 The district may issue, without an election, bonds and other
3-59 obligations secured by:
3-60 (1) revenue other than ad valorem taxes; or
3-61 (2) contract payments described by Section
3-62 7996A.0403.
3-63 (b) The district must hold an election in the manner
3-64 provided by Chapters 49 and 54, Water Code, to obtain voter approval
3-65 before the district may impose an ad valorem tax or issue bonds
3-66 payable from ad valorem taxes.
3-67 (c) The district may not issue bonds payable from ad valorem
3-68 taxes to finance a road project unless the issuance is approved by a
3-69 vote of a two-thirds majority of the district voters voting at an

4-1 election held for that purpose.

4-2 Sec. 7996A.0402. OPERATION AND MAINTENANCE TAX. (a) If
 4-3 authorized at an election held under Section 7996A.0401, the
 4-4 district may impose an operation and maintenance tax on taxable
 4-5 property in the district in accordance with Section 49.107, Water
 4-6 Code.

4-7 (b) The board shall determine the tax rate. The rate may not
 4-8 exceed the rate approved at the election.

4-9 Sec. 7996A.0403. CONTRACT TAXES. (a) In accordance with
 4-10 Section 49.108, Water Code, the district may impose a tax other than
 4-11 an operation and maintenance tax and use the revenue derived from
 4-12 the tax to make payments under a contract after the provisions of
 4-13 the contract have been approved by a majority of the district voters
 4-14 voting at an election held for that purpose.

4-15 (b) A contract approved by the district voters may contain a
 4-16 provision stating that the contract may be modified or amended by
 4-17 the board without further voter approval.

4-18 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

4-19 Sec. 7996A.0501. AUTHORITY TO ISSUE BONDS AND OTHER
 4-20 OBLIGATIONS. The district may issue bonds or other obligations
 4-21 payable wholly or partly from ad valorem taxes, impact fees,
 4-22 revenue, contract payments, grants, or other district money, or any
 4-23 combination of those sources, to pay for any authorized district
 4-24 purpose.

4-25 Sec. 7996A.0502. TAXES FOR BONDS. At the time the district
 4-26 issues bonds payable wholly or partly from ad valorem taxes, the
 4-27 board shall provide for the annual imposition of a continuing
 4-28 direct ad valorem tax, without limit as to rate or amount, while all
 4-29 or part of the bonds are outstanding as required and in the manner
 4-30 provided by Sections 54.601 and 54.602, Water Code.

4-31 Sec. 7996A.0503. BONDS FOR ROAD PROJECTS. At the time of
 4-32 issuance, the total principal amount of bonds or other obligations
 4-33 issued or incurred to finance road projects and payable from ad
 4-34 valorem taxes may not exceed one-fourth of the assessed value of the
 4-35 real property in the district.

4-36 SECTION 2. The Harris-Waller Counties Municipal Utility
 4-37 District No. 9 initially includes all the territory contained in
 4-38 the following area:

4-39 Being 1,977 acres of land located in the B.B.B. & C. RR. Co.
 4-40 Survey, Abstract No. 171, the Henry Trott Survey, Abstract
 4-41 No. 1589, the B.B.B. & C. RR. Co. Survey, Abstract No. 170, the
 4-42 B.B.B. & C. RR. Co. Survey, Abstract No. 169, and the C.A. Willis
 4-43 Survey, Abstract No. 888, in Harris County, Texas, and in the
 4-44 B.B.B. & C. RR. Co. Survey, Abstract No. 94, the John Tom Survey,
 4-45 Abstract No. 265, the Henry Trott Survey, Abstract No. 267, the
 4-46 C.A. Willis Survey, Abstract No. 276, the Shubal Marsh Survey,
 4-47 Abstract No. 217, and the S. Haddi Survey, Abstract No. 135, in
 4-48 Waller County, Texas; said 1,977 acres being a portion of a called
 4-49 405.431 acre tract of land (Tract 2), all of a called 264.755 acre
 4-50 tract of land (Tract 5), and all of a called 289.8972 acre tract of
 4-51 land (Tract 8) conveyed to Bud Adams Ranches, Inc. in Volume 458,
 4-52 Page 249 of the Deed Records of Harris County (D.R.H.C.), all of a
 4-53 called 20.00 acre tract of land conveyed to Amy Adams Strunk in C.F.
 4-54 No. U924028 of the Official Public Records of Real Property of
 4-55 Harris County (O.P.R.R.P.H.C.), all of a called 8.43 acre tract of
 4-56 land conveyed to Bud Adams Ranches, Inc. in Volume 476, Page 547 of
 4-57 the Deed Records of Waller County (D.R.W.C.), all of a called 50
 4-58 acre tract of land (Tract I), all of a called 72 acre tract of land
 4-59 (Tract II), all of a called 110 acre tract of land (Tract III), all
 4-60 of a called 69-3/4 acre tract of land (Tract IV), all of a called 150
 4-61 acre tract of land (Tract V), and all of a called 106 acre tract of
 4-62 land (Tract VI) conveyed to KSA Industries, Inc in Volume 606, Page
 4-63 493 of the D.R.W.C. and in C.F. No. T455463 of the O.P.R.R.P.H.C., a
 4-64 portion of a called 351 acre tract of land conveyed to Bud Adams
 4-65 Ranches, Inc. in Volume 3595, Page 305 of the D.R.H.C., and all of a
 4-66 called 85.129 acre tract of land conveyed to Bud Adams Ranches, Inc.
 4-67 in Volume 481, Page 657 of the D.R.W.C.; said 1,977 acres being more
 4-68 particularly described in two tracts by metes and bounds as follows
 4-69 (all bearings are referenced to the north line of aforesaid 351 acre

5-1 tract - S88°30'00"E):
 5-2 Tract One - 726 Acres:
 5-3 Beginning at the southwest corner of said 289.8972 acre tract
 5-4 and the most southerly southeast corner of a called 497.398 acre
 5-5 tract of land conveyed to Robert Humphrey and wife, Paulette
 5-6 Humphrey in C.F. No. V354202 of the O.P.R.R.P.H.C., and being on
 5-7 the northerly right-of-way line of Mayer Road (width varies);
 5-8 Thence, with the common line of said 289.8972 acre tract and
 5-9 said 497.398 acre tract, the following twelve (12) courses:
 5-10 1. North 01 degrees 05 minutes 00 seconds West, a distance of
 5-11 1,798.10 feet;
 5-12 2. North 45 degrees 27 minutes 00 seconds East, a distance of
 5-13 423.00 feet;
 5-14 3. North 58 degrees 11 minutes 00 seconds West, a distance of
 5-15 367.10 feet;
 5-16 4. North 01 degrees 05 minutes 00 seconds West, a distance of
 5-17 1,202.70 feet;
 5-18 5. South 73 degrees 24 minutes 52 seconds East, a distance of
 5-19 378.81 feet;
 5-20 6. South 77 degrees 48 minutes 49 seconds East, a distance of
 5-21 371.24 feet;
 5-22 7. South 65 degrees 57 minutes 46 seconds East, a distance of 48.12
 5-23 feet;
 5-24 8. South 88 degrees 34 minutes 00 seconds East, a distance of
 5-25 1,154.00 feet;
 5-26 9. North 07 degrees 02 minutes 00 seconds East, a distance of
 5-27 141.00 feet;
 5-28 10. South 88 degrees 54 minutes 00 seconds East, a distance of
 5-29 420.10 feet;
 5-30 11. South 07 degrees 02 minutes 00 seconds West, a distance of
 5-31 211.00 feet;
 5-32 12. South 88 degrees 55 minutes 00 seconds East, a distance of
 5-33 984.22 feet to the most easterly southeast corner of said 497.398
 5-34 acre tract and an exterior corner of aforesaid 405.431 acre tract;
 5-35 13 Thence, with the common line of said 405.431 acre tract and said
 5-36 497.398 acre tract, North 01 degrees 17 minutes 00 seconds West, a
 5-37 distance of 763.36 feet to the centerline of Spring Creek and being
 5-38 on the common Harris and Waller County line;
 5-39 Thence, with the common line of said 405.431 acre tract, the
 5-40 497.398 acre tract, the centerline of Spring Creek, and said Harris
 5-41 and Waller County line, the following twenty two (22) courses:
 5-42 14. North 42 degrees 41 minutes 55 seconds West, a distance of
 5-43 230.66 feet;
 5-44 15. North 04 degrees 43 minutes 00 seconds East, a distance of
 5-45 237.00 feet;
 5-46 16. North 05 degrees 47 minutes 00 seconds West, a distance of
 5-47 224.00 feet;
 5-48 17. North 13 degrees 43 minutes 00 seconds East, a distance of
 5-49 126.00 feet;
 5-50 18. North 58 degrees 13 minutes 00 seconds East, a distance of
 5-51 161.50 feet;
 5-52 19. North 50 degrees 47 minutes 00 seconds West, a distance of
 5-53 199.00 feet;
 5-54 20. South 83 degrees 28 minutes 00 seconds West, a distance of
 5-55 365.00 feet;
 5-56 21. North 86 degrees 17 minutes 00 seconds West, a distance of
 5-57 126.00 feet;
 5-58 22. South 40 degrees 13 minutes 00 seconds West, a distance of
 5-59 58.00 feet;
 5-60 23. North 73 degrees 17 minutes 00 seconds West, a distance of
 5-61 137.00 feet;
 5-62 24. North 29 degrees 58 minutes 00 seconds East, a distance of
 5-63 111.00 feet;
 5-64 25. North 56 degrees 17 minutes 00 seconds West, a distance of
 5-65 86.00 feet;
 5-66 26. North 32 degrees 32 minutes 00 seconds West, a distance of
 5-67 178.00 feet;
 5-68 27. North 15 degrees 17 minutes 00 seconds West, a distance of
 5-69 84.00 feet;

- 6-1 28. North 07 degrees 43 minutes 00 seconds East, a distance of
6-2 148.00 feet;
- 6-3 29. North 21 degrees 43 minutes 00 seconds East, a distance of
6-4 230.00 feet;
- 6-5 30. North 39 degrees 43 minutes 00 seconds East, a distance of
6-6 66.00 feet;
- 6-7 31. North 26 degrees 43 minutes 00 seconds East, a distance of
6-8 109.00 feet;
- 6-9 32. North 05 degrees 13 minutes 00 seconds East, a distance of
6-10 145.00 feet;
- 6-11 33. North 62 degrees 17 minutes 00 seconds West, a distance of
6-12 87.00 feet;
- 6-13 34. North 42 degrees 32 minutes 00 seconds West, a distance of
6-14 50.00 feet;
- 6-15 35. North 03 degrees 47 minutes 00 seconds West, a distance of
6-16 119.00 feet to the northwest corner of said 405.431 acre tract, the
6-17 northeast corner of said 497.398 acre tract, and being on the
6-18 southerly line of a called 78.0467 acre tract of land conveyed to
6-19 Triple W Ranch, LLC. in C.F. No. 1408094 of the Official Public
6-20 Records of Waller County (O.P.R.W.C.);
- 6-21 36. Thence, with the common line of said 405.431 acre tract and
6-22 said 78.0467 acre tract, North 89 degrees 39 minutes 56 seconds
6-23 East, a distance of 674.87 feet to the southeast corner of said
6-24 78.0467 acre tract and the southwest corner of aforesaid 8.43 acre
6-25 tract;
- 6-26 37. Thence, with the common line of said 78.0467 acre tract and
6-27 said 8.43 acre tract, North 00 degrees 03 minutes 28 seconds West, a
6-28 distance of 502.41 feet to the northwest corner of said 8.43 acre
6-29 tract and the southwest corner of a called 56.030 acre tract of land
6-30 conveyed to Triple W Ranch, LLC. in C.F. No. 1800040 of the
6-31 O.P.R.W.C.;
- 6-32 38. Thence, with the common line of said 8.43 acre tract and said
6-33 56.030 acre tract, North 89 degrees 29 minutes 45 seconds East, a
6-34 distance of 725.12 feet to the northeast corner of said 8.43 acre
6-35 tract and the most westerly northwest corner of a called 53.4218
6-36 acre tract of land conveyed to Triple W Ranch, LLC. in C.F.
6-37 No. 2011973 of the O.P.R.W.C.;
- 6-38 39. Thence, with the easterly line of said 8.43 acre tract, the
6-39 westerly line of said 53.4218 acre tract, and an easterly line of
6-40 aforesaid 405.431 acre tract, South 00 degrees 31 minutes 49
6-41 seconds East, a distance of 1,247.21 feet to the southwest corner of
6-42 said 53.4218 acre tract and an interior corner of said 405.431 acre
6-43 tract;
- 6-44 40. Thence, with the northerly line of said 405.431 acre tract,
6-45 the southerly line of said 53.4218 acre tract, and the southerly
6-46 line of the remainder of a called 78.85 acre tract of land conveyed
6-47 to AM Ford Holdings, LLC. in C.F. No. 1901151 of the O.P.R.W.C.,
6-48 North 89 degrees 06 minutes 00 seconds East, a distance of 2,545.00
6-49 feet to the northeast corner of said 405.431 acre tract, the
6-50 southeast corner of said remainder tract, and being on the westerly
6-51 right-of-way line of Fields Store Road (width varies);
- 6-52 Thence, with the common easterly line of said 405.431 acre
6-53 tract and said westerly right-of-way line of Fields Store Road, the
6-54 following fifteen (15) courses:
- 6-55 41. South 00 degrees 13 minutes 00 seconds West, a distance of
6-56 1,432.50 feet;
- 6-57 42. South 02 degrees 02 minutes 00 seconds East, a distance of
6-58 207.00 feet;
- 6-59 43. South 01 degrees 47 minutes 00 seconds East, a distance of
6-60 1,553.00 feet;
- 6-61 44. South 05 degrees 17 minutes 15 seconds East, a distance of
6-62 154.00 feet;
- 6-63 45. South 13 degrees 26 minutes 20 seconds East, a distance of
6-64 108.49 feet;
- 6-65 46. South 18 degrees 17 minutes 00 seconds East, a distance of
6-66 76.50 feet;
- 6-67 47. South 24 degrees 02 minutes 00 seconds East, a distance of
6-68 268.50 feet;
- 6-69 48. South 14 degrees 32 minutes 00 seconds East, a distance of

7-1 113.30 feet;
 7-2 49. South 09 degrees 17 minutes 00 seconds East, a distance of
 7-3 105.00 feet;
 7-4 50. South 04 degrees 13 minutes 00 seconds West, a distance of
 7-5 51.00 feet;
 7-6 51. South 08 degrees 13 minutes 00 seconds West, a distance of
 7-7 100.00 feet;
 7-8 52. South 09 degrees 43 minutes 00 seconds West, a distance of
 7-9 226.00 feet;
 7-10 53. South 10 degrees 43 minutes 00 seconds West, a distance of
 7-11 102.42 feet;
 7-12 54. South 00 degrees 21 minutes 46 seconds West, a distance of
 7-13 1,052.66 feet
 7-14 55. 451.48 feet along the arc of a curve to the right, said curve
 7-15 having a central angle of 82 degrees 57 minutes 20 seconds, a radius
 7-16 of 311.83 feet and a chord that bears South 41 degrees 50 minutes 26
 7-17 seconds West, a distance of 413.07 feet;
 7-18 56. Thence, with the common southerly line of said 405.431 acre
 7-19 tract, the southerly line of aforesaid 20.00 acre tract, the
 7-20 southerly line of aforesaid 289.8972 acre tract, the northerly
 7-21 right-of-way line of said Fields Store Road, and the northerly
 7-22 right-of-way line of Mayer Road (width varies), North 88 degrees 30
 7-23 minutes 00 seconds West, a distance of 4,954.00 feet;
 7-24 57. Thence, continuing with the common southerly line of said
 7-25 405.531 acre tract and the northerly right-of-way line of said
 7-26 Mayer Road, North 02 degrees 55 minutes 00 seconds West, a distance
 7-27 of 247.50 feet;
 7-28 58. Thence, continuing with said common line, North 87 degrees 13
 7-29 minutes 00 seconds West, a distance of 1,291.09 feet to the Point of
 7-30 Beginning and containing 726 acres of land in Tract One.
 7-31 Tract Two - 1,251 Acres:
 7-32 Beginning at the southwest corner of a aforesaid 351 acre
 7-33 tract, being at the intersection of the northerly right-of-way line
 7-34 of Castle Road (width varies) and the easterly right-of-way line of
 7-35 Fields Store Road (width varies);
 7-36 1. Thence, with the common westerly line of said 351 acre tract and
 7-37 the easterly right-of-way line of Fields Store Road, North 00
 7-38 degrees 05 minutes 41 seconds West, a distance of 5,320.25 feet to
 7-39 the northwest corner of said 351 acre tract, being on the southerly
 7-40 right-of-way line of said Fields Store Road;
 7-41 Thence, with the northerly line of said 351 acre tract, the
 7-42 westerly line of aforesaid 150 acre tract, and the southerly and
 7-43 easterly right-of-way line of said Fields Store Road, the following
 7-44 six (6) courses:
 7-45 2. South 88 degrees 30 minutes 00 seconds East, a distance of
 7-46 2,133.29 feet;
 7-47 3. 542.83 feet along the arc of a curve to the left, said curve
 7-48 having a central angle of 83 degrees 38 minutes 45 seconds, a radius
 7-49 of 371.83 feet and a chord that bears North 42 degrees 11 minutes 08
 7-50 seconds East, a distance of 495.89 feet;
 7-51 4. North 00 degrees 21 minutes 46 seconds East, a distance of
 7-52 897.57 feet;
 7-53 5. 216.58 feet along the arc of a curve to the right, said curve
 7-54 having a central angle of 10 degrees 24 minutes 42 seconds, a radius
 7-55 of 1,191.84 feet and a chord that bears North 05 degrees 34 minutes
 7-56 07 seconds East, a distance of 216.28 feet;
 7-57 6. North 10 degrees 46 minutes 27 seconds East, a distance of
 7-58 300.89 feet;
 7-59 7. 325.47 feet along the arc of a curve to the left, said curve
 7-60 having a central angle of 30 degrees 50 minutes 32 seconds, a radius
 7-61 of 604.63 feet and a chord that bears North 04 degrees 38 minutes 49
 7-62 seconds West, a distance of 321.56 feet to the northwest corner of
 7-63 said 150 acre tract and the southwest corner of a called 38.992 acre
 7-64 tract of land conveyed to Hsiao-Yi Lee, et al, in C.F. No. 1808263
 7-65 of the O.P.R.W.C.;
 7-66 8. Thence, with the common northerly line of said 150 acre tract
 7-67 and the southerly line of said 38.992 acre tract, South 88 degrees
 7-68 46 minutes 28 seconds East, a distance of 1,637.04 feet to the
 7-69 southeast corner of said 38.992 acre tract and the southwest corner

8-1 of aforesaid 72 acre tract;
8-2 9. Thence, with the easterly line of said 38.9612 acre tract, the
8-3 westerly line of said 72 acre tract, the westerly line of aforesaid
8-4 85.129 acre tract, and the easterly line of a called 13.8691 acre
8-5 tract of land conveyed to Roy N. Stephenson in C.F. No. 185595 of
8-6 the O.P.R.W.C., North 00 degrees 16 minutes 56 seconds West, a
8-7 distance of 2,866.34 feet to the northeast corner of said 13.8691
8-8 acre tract and the southeast corner of the remainder of a called
8-9 20.00 acre tract of land conveyed to Alton R. Wilson and wife, Sue
8-10 Ann Wilson in C.F. No.107959 of the O.P.R.W.C.;

8-11 10. Thence, with the westerly line of said 85.129 acre tract, the
8-12 easterly line of said remainder tract, and the easterly line of a
8-13 called 5.9895 acre tract of land conveyed to Acie Elmo Craig, Jr. in
8-14 C.F. No.1104368 of the O.P.R.W.C., North 01 degrees 07 minutes 19
8-15 seconds West, a distance of 937.76 feet to the northeast corner of
8-16 said 5.985 acre tract and an interior corner of said 85.129 acre
8-17 tract;

8-18 11. Thence, with the common southerly line of said 85.129 acre
8-19 tract and the northerly line of said 5.985 acre tract, North 89
8-20 degrees 33 minutes 07 seconds West, a distance of 189.64 feet;

8-21 12. Thence, continuing with said common line, and the northerly
8-22 line of the remainder of a called 15.000 acre tract conveyed to Acie
8-23 Elmo Craig, Jr. in C.F. No. 981047 of the O.P.R.W.C., South 89
8-24 degrees 38 minutes 24 seconds West, a distance of 1,619.91 feet to
8-25 the northwest corner of said remainder tract, the most northerly
8-26 southwest corner of said 85.129 acre tract, and being on the
8-27 easterly right-of-way line of aforesaid Fields Store Road;

8-28 13. Thence, with the westerly line of said 85.129 acre tract, the
8-29 westerly line of aforesaid 264.755 acre tract, and the easterly
8-30 right-of-way line of said Fields Store Road, North 00 degrees 06
8-31 minutes 36 seconds West, a distance of 1,678.83 feet to the
8-32 northwest corner of said 264.755 acre tract and the southwest
8-33 corner of a called 125.00 acre tract of land conveyed to Lawrence
8-34 Falk in C.F. No.1986149602 of the O.P.R.W.C.;

8-35 Thence, with the common northerly line of said 264.755 acre
8-36 tract and the southerly line of said 125.00 acre tract, the
8-37 following three (3) courses:

8-38 14. North 89 degrees 20 minutes 08 seconds East, a distance of
8-39 2,772.50 feet;

8-40 15. South 26 degrees 39 minutes 52 seconds East, a distance of
8-41 631.39 feet;

8-42 16. North 63 degrees 20 minutes 08 seconds East, a distance of
8-43 2,076.94 feet to the most easterly corner of said 125.00 acre tract,
8-44 the most northerly corner of said 264.755 acre tract, and being on
8-45 the westerly line of a tract of land conveyed to Sharon Enid
8-46 Peterson Clark Oster in C.F. No. 180557 of the O.P.R.W.C.;

8-47 17. Thence, with the easterly line of said 264.755 acre tract, the
8-48 westerly line of said Oster Tract, and the westerly line of a tract
8-49 of land conveyed to Grainger Waller County Land and Cattle, LLC. in
8-50 C.F. No. 1406891 of the O.P.R.W.C., South 26 degrees 39 minutes 52
8-51 seconds East, a distance of 420.00 feet;

8-52 18. Thence, with the common easterly line of said 264.755 acre
8-53 tract and the westerly line of said Grainger tract, South 63 degrees
8-54 20 minutes 08 seconds West, a distance of 463.06 feet;

8-55 19. Thence, continuing with said common line, South 01 degrees 00
8-56 minutes 08 seconds West, a distance of 4,160.54 feet to the
8-57 southeast corner of said 264.755 acre tract, the southwest corner
8-58 of said Grainger tract, and being on the northerly line of a called
8-59 226.0 acre tract of land conveyed to New Waverly Sound Investments,
8-60 LLC. in C.F. No. 610668 of the O.P.R.W.C.;

8-61 20. Thence, with the southerly line of said 264.755 acre tract and
8-62 the northerly line of said 226.0 acre tract, North 89 degrees 58
8-63 minutes 52 seconds West, a distance of 37.45 feet to the northeast
8-64 corner of aforesaid 72 acre tract;

8-65 21. Thence, with the common easterly line of said 72 acre tract and
8-66 the westerly line of said 226.0 acre tract, South 00 degrees 18
8-67 minutes 34 seconds East, a distance of 1,147.71 feet to the
8-68 southeast corner of said 72 acre tract and an interior corner of
8-69 said 226.0 acre tract;

9-1 22. Thence, with the common southerly line of said 72 acre tract
 9-2 and the northerly line of said 226.0 acre tract, South 89 degrees 23
 9-3 minutes 32 seconds West, a distance of 259.50 feet to the northwest
 9-4 corner of said 226.0 acre tract and the northeast corner of
 9-5 aforesaid 150 acre tract;

9-6 23. Thence, with the common east line of said 150 acre tract and
 9-7 the west line of said 226.0 acre tract, South 00 degrees 05 minutes
 9-8 35 seconds East, a distance of 1,573.65 feet to the southwest corner
 9-9 of said 226.0 acre tract and the southeast corner of said 150 acre
 9-10 tract, being on the northerly line of a called 207.6 acre tract of
 9-11 land (Tract 1) conveyed to Houston Trust Company in C.F.
 9-12 No. 20100434611 of the O.P.R.R.P.H.C.;

9-13 24. Thence, with the common southerly line of said 150 acre tract
 9-14 and the northerly line of said 207.6 acre tract, North 89 degrees 16
 9-15 minutes 54 seconds West, a distance of 1,074.12 feet to the
 9-16 northwest corner of said 207.6 acre tract and the northeast corner
 9-17 of aforesaid 110 acre tract;

9-18 25. Thence, with the common easterly line of said 110 acre tract
 9-19 and the westerly line of said 207.6 acre tract, South 01 degrees 02
 9-20 minutes 24 seconds East, a distance of 2,908.63 feet to the
 9-21 southeast corner of said 110 acre tract and an interior corner of
 9-22 said 207.6 acre tract;

9-23 26. Thence, with the common southerly line of said 110 acre tract
 9-24 and the northerly line of said 207.6 acre tract, North 89 degrees 33
 9-25 minutes 44 seconds West, a distance of 535.02 feet to the northeast
 9-26 corner of aforesaid 50 acre tract;

9-27 27. Thence, with the easterly line of said 50 acre tract, the
 9-28 easterly line of aforesaid 69-3/4 acre tract, and the westerly line
 9-29 of said 207.6 acre tract, South 00 degrees 34 minutes 29 seconds
 9-30 East, a distance of 2,839.39 feet to the southeast corner of said
 9-31 69-3/4 acre tract, the southwest corner of said 207.6 acre tract,
 9-32 and being on the northerly right-of-way line of aforesaid Castle
 9-33 Road;

9-34 28. Thence, with the southerly line of said 69-3/4 acre tract, the
 9-35 southerly line of aforesaid 106 acre tract, the southerly line of
 9-36 aforesaid 351 acre tract, and the northerly right-of-way line of
 9-37 said Castle Road, South 89 degrees 58 minutes 09 seconds West, a
 9-38 distance of 5,102.76 feet to the Point of Beginning and containing
 9-39 1,251 acres of land in Tract Two.

9-40 SECTION 3. (a) The legal notice of the intention to
 9-41 introduce this Act, setting forth the general substance of this
 9-42 Act, has been published as provided by law, and the notice and a
 9-43 copy of this Act have been furnished to all persons, agencies,
 9-44 officials, or entities to which they are required to be furnished
 9-45 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
 9-46 Government Code.

9-47 (b) The governor, one of the required recipients, has
 9-48 submitted the notice and Act to the Texas Commission on
 9-49 Environmental Quality.

9-50 (c) The Texas Commission on Environmental Quality has filed
 9-51 its recommendations relating to this Act with the governor, the
 9-52 lieutenant governor, and the speaker of the house of
 9-53 representatives within the required time.

9-54 (d) All requirements of the constitution and laws of this
 9-55 state and the rules and procedures of the legislature with respect
 9-56 to the notice, introduction, and passage of this Act are fulfilled
 9-57 and accomplished.

9-58 SECTION 4. (a) If this Act does not receive a two-thirds
 9-59 vote of all the members elected to each house, Subchapter C, Chapter
 9-60 7996A, Special District Local Laws Code, as added by Section 1 of
 9-61 this Act, is amended by adding Section 7996A.0307 to read as
 9-62 follows:

9-63 Sec. 7996A.0307. NO EMINENT DOMAIN POWER. The district may
 9-64 not exercise the power of eminent domain.

9-65 (b) This section is not intended to be an expression of a
 9-66 legislative interpretation of the requirements of Section 17(c),
 9-67 Article I, Texas Constitution.

9-68 SECTION 5. This Act takes effect immediately if it receives
 9-69 a vote of two-thirds of all the members elected to each house, as

10-1 provided by Section 39, Article III, Texas Constitution. If this
10-2 Act does not receive the vote necessary for immediate effect, this
10-3 Act takes effect September 1, 2023.

10-4

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